

**LEMON GROVE CITY COUNCIL  
AGENDA ITEM SUMMARY**

**Item No.**   6    
**Mtg. Date**  June 21, 2016   
**Dept.**  City Manager 

**Item Title:**   **Preparation of Elections Code §9212 Impact Analysis report pertaining to the Initiative to allow Medical Marijuana Dispensaries in the City of Lemon Grove**

**Staff Contact:**   Lydia Romero, City Manager and James P. Lough, City Attorney

**Recommendation:**

Direct staff to prepare an Elections Code §9212 Impact Analysis report for the pending Initiative to allow Medical Marijuana Dispensaries in the City of Lemon Grove. ]

**Item Summary:**

In April of this year, an initiative was filed with the City Clerk to allow Medical Marijuana Dispensaries in the City of Lemon Grove. This agenda item asks the City Council to direct staff to prepare an Elections Code §9212 impact analysis report pertaining to the proposed Initiative.

**Fiscal Impact:** No fiscal Impact. Report will be done ]

**Environmental Review:**

- ☒ Not subject to review  
☐ Categorical Exemption

- ☐ Negative Declaration  
☐ Mitigated Negative Declaration

**Public Information:**

- ☒ None                      ☐ Newsletter article                      ☐ Notice to property owners within 300 ft.  
☐ Notice published in local newspaper                      ☐ Neighborhood meeting

**Attachments:**

A. Staff Report



# Attachment A

## LEMON GROVE CITY COUNCIL STAFF REPORT

**Item No.**   6  

**Mtg. Date**   June 21, 2016  

**Item Title:** **Preparation of Elections Code §9212 Impact Analysis report pertaining to the Initiative to allow Medical Marijuana Dispensaries in the City of Lemon Grove**

**Staff Contact:** Lydia Romero, City Manager and James P. Lough, City Attorney

### **Background:**

In April of this year proponents filed an initiative that would allow Medical Marijuana Dispensaries within the City limits with the City Clerk. As required by Election Code §9203, the City Attorney provided the Ballot Title and Summary for inclusion in the petition form.

At the end of May, proponents submitted petition forms who sufficient signatures to have the petitions delivered to the San Diego County Registrar of Voters for verification of the signatures. State law requires the verification of signatures be completed within 30 working days (excluding weekends and holidays) from the date of filing of the petition. Following signature verification by the County Registrar of Voters and if the signatures are deemed sufficient, City staff will return to the City Council with election/implementation options in compliance with the State Elections Code. Presenting the certification results must be done at a regular meeting of the City Council pursuant to Elections Code §9114.

### **Discussion and Analysis:**

Under the Elections Code, the City Council may order an impact analysis report of any initiative. Working under the assumption that the petition will be deemed sufficient, it is recommended that the City Council request staff to prepare an impact analysis report, and that it be presented no later than when the City Clerk brings the certification of the petition to City Council.

California Elections Code § 9212 in general, states that the legislative body (City Council) may refer the proposed initiative measure to any City agency for a report on any or all of the following impacts:

1. Fiscal impact.
2. Its effect on the internal consistency of the City's General Plan and Specific Plans.
3. Its effect on land use and housing, including ability of the City to meet regional housing needs.
4. Infrastructure funding and costs, including transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely result in an increased infrastructure costs.
5. Impact on the community's ability to attract and retain businesses and jobs.
6. Use of vacant parcels.

# Attachment A

7. Impacts on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
8. Any other matters the legislative body (City Council) determines to include in the report.

## **Conclusion:**

Staff recommends that the City Council direct staff to prepare an Elections Code §9212 Impact Analysis Report in order to provide information on the potential impacts of allowing Medical Marijuana Dispensaries in Lemon Grove.

